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UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

UNITED STATES OF AMERICA, ) No. CR 07-243-~~NOV~~ *RGK*  
Plaintiff, ) *[PROPOSED]*  
v. ) FINDINGS AND ORDER RE  
ROY COLINA ALIVIO, ) CONTINUANCE OF TRIAL DATE AND  
Defendant. ) EXCLUDABLE TIME PERIODS UNDER  
 ) SPEEDY TRIAL ACT

Pursuant to the Stipulation of the parties regarding the proposed continuance of the trial date in this matter, the Court makes the following findings:

1. The defendant requests a continuance of the trial date in this matter, which is the third request for a continuance made by defendant.

2. The period of delay in this matter is sought so that defendant's counsel will have sufficient time to complete his preparation of this case for trial following the conclusion of another trial counsel began on April 1, 2008, and so that

1 defendant and his counsel will have sufficient time to complete  
2 their review of discovery, complete any witness interviews, file  
3 any further motions, and otherwise complete their preparation of  
4 this case for trial. Counsel for both parties believe that the  
5 failure to grant the continuance requested by defendant would  
6 deny defense counsel the reasonable time necessary for effective  
7 preparation of this matter, taking into account the exercise of  
8 due diligence. The government does not object to the requested  
9 continuance on this basis.

10 3. The ends of justice served by continuing the case as  
11 requested outweigh the interest of the public and the defendant  
12 in a trial within the original date prescribed by the Speedy  
13 Trial Act.

14  
15 Based on the above findings and on the Stipulation of the  
16 parties in connection with defendant's request to continue the  
17 trial date in this matter IT IS ORDERED that

18 1. The trial in this matter is continued from April 10,  
19 2008, to May 6, 2008, at 9:00 a.m., and

20 2. For the purposes of computing time under the Speedy  
21 Trial Act, 18 U.S.C. § 3161, et seq., within which trial must  
22 commence, the time period of April 10, 2008 to May 6, 2008, shall  
23 be deemed excludable pursuant to 18 U.S.C. § 3161(h)(8).

24 APR 11 2008

25 Dated: \_\_\_\_\_, 2007

  
HONORABLE R. GARY KLAUSNER  
UNITED STATES DISTRICT JUDGE